

Lion and Tiger Enclosure Heights and Kick-Ins Inspection

Reference: https://www.aphis.usda.gov/animal_welfare/downloads/Animal%20Care%20Inspection%20Guide.pdf

This document provides guidance for assessing the height of lion and tiger enclosures (this includes liger enclosures) under commonly found circumstances at stationary facilities for purposes of primary containment. It does not provide guidance for assessing the structural integrity or other factors related to housing facilities.

This guidance is a distillation of a well-established interpretation of the AWA regulations and standards. Section 3.125(a) provides that indoor and outdoor housing facilities must be structurally sound and maintained in good repair to protect the animals from injury and to contain the animals. For lions and tigers and many other animals, this primary containment system must be backed up by a secondary containment system (a perimeter fence) in most outdoor housing facilities to further ensure the safety and well-being of the animals.

The following guidelines are to be used by all inspectors and compliance specialists to assure uniform implementation. These guidelines are based on Animal Care's experience of more than 40 years with inspecting licensees and registrants that house potentially dangerous animals, like lions and tigers, and recent events that highlight instances where animals have escaped, as well as specific species' and animals' capabilities.

Despite our best evaluation of what will contain an animal, there may still be an escape. If an animal escapes from an enclosure, that enclosure will have to be modified to be considered to be in compliance, regardless of the previous determination.

Complete a checklist in ACIS documenting the safety of lion and tiger enclosures for each facility with lions and tigers. All citations must refer back to the language of the regulations; **there are no engineering standards.**

Fencing recommendations regarding the fence height and enhancing structural components like kick-ins and high-tensile electric wire appropriate for the species will be divided into three categories:

- ◆ [Under Review](#) on page 4-27
- ◆ [Compliant Requiring No Further Action](#) on page 4-28
- ◆ [Noncompliant Prompting a Citation](#) on page 4-28

Under Review

This category should be evaluated first to determine if there are any special circumstances associated with animals and/or enclosures that would prevent an enclosure from being considered as "Compliant Requiring No Further Action" or "Non-compliant Prompting a Citation." Some examples of circumstances that would prompt placing an enclosure in the "Under Review" category are listed below (NOTE: this is not an all-inclusive list). For these enclosures, photos and measurements should be submitted to the Big Cat Field Specialist and

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SACS for review through the use of the “Checklist for Documenting the Safety of Lion and Tiger Enclosures Fencing Height” sheet in ACIS. The Big Cat Field Specialist and SACS will work together to develop a recommendation. If there are no special circumstances, then the enclosure should be assessed to determine if it is “Compliant Requiring No Further Action” or “Non-compliant Prompting a Citation.”

Do not cite or note enclosures that are under review on an inspection

report. Examples of enclosures that an inspector could send for review

include:

- ◆ Enclosure fence 14 feet in height with a kick-in of 2 feet
- ◆ Fencing a minimum of 12 feet in height with a species-appropriate high- tensile, smooth electric wire
- ◆ An enclosure fence 14 feet in height with a line of electric wire along the top
- ◆ An enclosure fence of 12 feet in height with a 2 foot kick-in and an impregnable perimeter fence at a facility the public does not visit
- ◆ An enclosure fence of 10 feet with 3 feet or greater kick-ins where animals have lived without incident for over 4 years
- ◆ An enclosure containing a lion and tiger that has physical limitations (old/ fat/disabled/blind) that may be adequately contained in an enclosure that does not meet the guidance for clearly compliant enclosures
- ◆ An enclosure with trees or enclosure furniture that may be too close to the fence

The inspector should consult with the licensee on an appropriate identifier for each enclosure. The identifier may be the: name of the animal in the enclosure; location of the enclosure on the premises; enclosure number, etc. This identifier will be used with the corresponding photos in completing the “Checklist for Documenting the Safety of Lion and Tiger Enclosures Fencing Height” sheet in ACIS and in the subsequent letter from the regional office.

Compliant Requiring No Further Action

Some structures would be considered compliant for meeting the performance- based standards of §3.125(a) absent special circumstances, based on the known physical and behavioral characteristics of Lion and Tiger species and the configuration of the enclosure. Some examples of structures include but are not limited to:

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- ◆ Fencing a minimum of 12 feet in height with a 3 foot angled kick-in
- ◆ Fencing a minimum of 16 feet in height
- ◆ Fencing 8 feet in height with a completely covered top (Note: All enclosures with a completely covered top must allow for normal and typical behaviors and postures.)
- ◆ A dry moat that is 25 feet wide or greater and at least 16 feet deep if both sides are at the same level and there are no deterrents at either side
- ◆ A moat that is at least 20 feet wide if the exhibit side is at least 5 feet or more lower than the public side
- ◆ A wet moat that is at least 20 feet wide with water at least 5 feet deep at all times with another 5 foot wall extending beyond the water level

Noncompliant Prompting a Citation

An example of a noncompliant prompting a citation is enclosure fencing that is insufficient to contain the animals housed within.

Completing the Checklist

The inspector will be prompted to review and document the status of the lion/ tiger enclosures before finalizing in ACIS your initial inspection on facilities that list lions and/or tigers in the inventory. The three possible responses are:

- ◆ All species specific enclosures are in compliance.
 - ❖ This completes the checklist and you are taken to the report to review and finalize.
- ◆ All species specific enclosures are not in compliance, no help needed.
 - ❖ Use this option if there is a combination of compliant and noncompliant enclosures.
 - ❖ This completes the checklist and you are taken to the report to review and finalize.
- ◆ One or more species specific enclosures are unsure and help is requested.
 - ❖ Use this option if there is a combination of compliant and noncompliant enclosures in which one or more is unsure and help is needed.
 - ❖ Complete the specialist review form where you will provide:

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- ⇒ Location Name: Use the enclosure identifier determined by you and the licensee
- ⇒ Location Description: Describe the animals contained in the enclosure; the height of the fencing; the materials used for the fencing; the approximate dimensions of the enclosure
- ⇒ Location Comments: Add any comments or recommendations to the Big Cat Specialist/RO
- ❖ Link the photos of the enclosures you uploaded to the inspection report to each enclosure description. Photos must include:
 - ⇒ Something that provides a reference for the scale of the fencing height; Be sure to get the entire fence from top to bottom in the photograph.
 - ⇒ The kick-ins with a side view as much as safely possible.
 - ⇒ Trees or cage furnishings that may be too close to the fence. Try to include two views from different sides.

Field Specialist Review

The big cat field specialist will enter into ACIS a written assessment of the suitability of the enclosure(s) to contain the animals being housed in them. The appropriate personnel will prepare the review response letter for the Regional Director or Assistant Regional Director signature. The review response letter will contain for each reviewed enclosure: the decision regarding each enclosure; a correction deadline, if necessary, and other relevant needed information. The letter will be mailed to the facility. A copy of the final letter will be maintained in the customer files in ACIS and a copy of the letter emailed to the SACS, inspector and the big cat field specialist.

Subsequent Inspections of Reviewed Enclosures

At the next inspection of a facility placed under review, you will receive a prompt to review and document the status of the enclosures that were not in compliance or were found to be compliant based on specific current conditions during the previous inspection. Additional review of the enclosure is dependent on the following criteria:

- ◆ Enclosures found not in compliance, current status?
 - ❖ In compliance: You will receive no further prompts on subsequent inspections
 - ❖ Time still remaining: You will be asked to review the enclosure at the next inspection.
 - ❖ If not in compliance, select the applicable NCIs for this enclosure.

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- ◆ Enclosures found not in compliance based on specific current conditions: are these conditions still true for these enclosures?
 - ❖ If the conditions are still true, you will continue to finalize the report and will be asked to review the enclosure at the next inspection.
 - ❖ If the enclosure is in compliance now, the process ends and you will receive no further prompts on subsequent inspections.
 - ❖ If not in compliance, you will be asked to select the appropriate NCIs on the inspection report citing this enclosure's noncompliance.